

CDCR 21-739

Copy Citation

This file includes all regulations adopted and published through D.C. Register, Vol. 69, Issue 9, March 4, 2022

▼Heading

-
- [DC - Code of D.C. Municipal Regulations](#)
 - [TITLE 21. WATER AND SANITATION](#)
 - [CHAPTER 7. SOLID WASTE CONTROL](#)

21-739. Cessation of Operations.

739.1 A solid waste facility shall immediately cease operation without additional notice if:

- (a) It is an existing solid waste facility operating under an interim operating permit which has been notified by the Director that its application for a solid waste facility permit has been denied;
- (b) The Director revokes or suspends the facility's interim operating permit or solid waste facility permit;
- (c) The facility does not have a solid waste facility permit or an interim operating permit; and
- (d) The facility's solid waste permit has expired.

739.2 The owner or operator of a solid waste facility which voluntarily and permanently ceases operations shall notify the Director in writing five (5) days prior to the closing. Failure to notify the Director shall constitute abandonment of the facility.

739.3 The owner or operator of a solid waste facility which permanently ceases operations, whether voluntarily or involuntarily, shall remove all solid waste from the facility within twenty-four (24) hours following the closing. The facility shall also be thoroughly cleaned, including floors, walls, and all equipment used to handle solid waste.

739.4 In the event that the owner or operator of a solid waste facility fails to act in accordance with § 739.3, the Director may issue a written notice directing compliance.

739.5 If the owner or operator fails to comply with the written notice issued pursuant to § 739.4 within the time period stated in the notice, the Director may remove the solid waste from the facility, clean the facility, and take any other corrective actions as are necessary to safeguard human health, the public welfare, or the environment.

739.6 The Director may assess a penalty against the person or persons named in the written notice issued pursuant to § 739.4 equal to triple the costs of undertaking the actions undertaken pursuant to § 739.5. The costs and penalties may be recouped by the District from the facility's environmental mitigation bond, or by a lien against the real property and or equipment or any other method available under the law.

Statutory Authority

STATUTORY AUTHORITY:

Unless otherwise noted, the authority for this chapter is § 402(4) of the [Reorganization Plan No. 3 of 1967, \(81 Stat. 948\), 32 FR 11669](#), D.C. Code § 1-226; § 412 of the District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 790. Pub. L. 93-198 D.C. Code § 1-227(a); Commissioner's Order 71-255, dated July 27, 1971, as amended by Commissioner's Order 72-96, dated April 19, 1972; Reorganization Plan No. 4 of 1983, 30 DCR6428, effective March 2, 1984; section 2(c) of the District of Columbia Solid Waste Disposal Act of 1989, effective July 25, 1989 (D.C. Law 8-16; 36 DCR4155 (June 19, 1989)), as amended by section 6012 of the Solid Waste Disposal Cost Recovery Act of 2007, effective September 18, 2007 (D.C. Law 17-20; [54 DCR 7052](#) (July 27, 2007)); section 2 of the Solid Waste Disposal Fee Amendment Act of 2008, effective March 21, 2009 (D.C. Law 17-322; [56 DCR 224](#)); Mayor's Order 84-55; Mayor's Order 90-47, dated March 12, 1980; D.C. Law 11-94, the Solid Waste Facility Permit Act of 1995, effective February 22, 1996; Mayor's Order 96-51, dated April 12, 1996; Mayor's Order 2005-123, dated August 29, 2005; the Sustainable Solid Waste Management Amendment Act of 2014, effective September 23, 2014 (D.C. Law 20-154; D.C. Official Code [§§ 8-1031.01](#) et seq. (2013 Repl. & 2019 Supp.)) and the Litter Control Administration Act of 1985, effective March 25, 1986 (D.C. Law 6-100; D.C. Official Code [§§ 8-801](#) et seq. (2013 Repl.)), Mayor's Order 1986-160, dated September 19, 1986, and Mayor's Order 2017-116, dated May 3, 2017

History

SOURCE:

Final Rulemaking published at 43 DCR6816, 43 DCR6834 (December 20, 1996).